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Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT**

**EASTERN DISTRICT OF CALIFORNIA**

NICHA LEASER, ATCHARA  
WONGSAROJ, KATINA MCGEE, and  
JOYCE EISMAN, individually, and on behalf  
of others similarly situated,

Plaintiffs,

vs.

PRIME ASCOT, L.P., a California limited  
partnership; PRIME ASCOT ACQUISITION,  
LLC, a Delaware limited liability company;  
PRIME/PARK LABREA TITLEHOLDER,  
LLC, a Delaware limited liability company  
(originally sued as Doe 1); PRIME  
ADMINISTRATION, LLC, a Delaware  
limited liability company; and Does 31  
through 50, inclusive,

Defendants.

Case No.: 2:20-cv-02502-DJC-AC

**STIPULATION AND ORDER TO  
RESCHEDULE HEARING AND EXTEND  
PLAINTIFFS' TIME TO FILE THEIR  
OPPOSITION TO DEFENDANTS' MOTION  
FOR PARTIAL SUMMARY JUDGEMENT  
AND JUDGEMENT ON PLEADINGS**

**Judge:** Hon. Daniel J. Calabretta

**Action Removed:** December 17, 2020

**Trial Date:** None Set

Pursuant to Federal Rule of Civil Procedure 6(b) and Civil Local Rule 144, Plaintiffs and Defendants (collectively, the Parties), by and through their respective counsel of record, hereby stipulate with respect to Plaintiffs' time to file their opposition to Defendants' Motion for Partial Summary Judgement and Motion for Judgement on Pleadings, and to the hearing on Defendants' aforementioned Motions, as follows:

WHEREAS, Defendants filed their Motion for Partial Summary Judgement and Motion for Judgement on Pleadings on October 11, 2024 (ECF No. 70 & 71);

WHEREAS, the hearing on Defendants' Motion for Partial Summary Judgement and Motion for Judgement on Pleadings is scheduled for November 14, 2024, at 1:30 p.m. before the Hon. Daniel J. Calabretta, in Courtroom 10 on the 13<sup>th</sup> Floor of the Robert T. Matsui United States Courthouse, 501 1st Street, Sacramento, CA 95814.

WHEREAS, Plaintiffs' oppositions for both Motions would ordinarily be due on October 24, 2024 (14 days after Defendants' filing of the original Motions).

WHEREAS, as Plaintiffs' counsel has recently informed Defense counsel, attorney Alex Tomasevic, chief trial counsel on this matter who also will be heavily involved in opposing these two motions, has a prepaid family vacation and will be out of the country on November 14<sup>th</sup>. Also, his partner and co-trial counsel on the matter, Craig Nicholas, is currently out of the country through next week, October 25, 2024.

WHEREAS, the Parties have met and conferred and hereby jointly stipulate to the following modified briefing and hearing schedule which seeks to accommodate counsel's prescheduled travel plans during the Thanksgiving holidays:

Event	Modified Deadline
Plaintiffs' Opposition to the Motion for Judgment on the Pleadings	November 7, 2024
Plaintiffs' Opposition to the Motion for Partial Summary Judgment	November 21, 2024

Defendants' Reply in Support of the Motion for Judgment on the Pleadings	December 6, 2024
Defendants' Reply in Support of the Motion for Partial Summary Judgment	December 13, 2025
Combined Hearing on the both Motions	January 9, 2025

### STIPULATION

**NOW THEREFORE**, the parties hereby stipulate and agree, subject to the Court's approval, as follows:

Plaintiffs' time to file their opposition to Defendants' Motion for Judgement on Pleadings shall be extended to November 7, 2024.

Plaintiffs' time to file their opposition to Defendants' Motion for Partial Summary Judgement shall be extended to November 21, 2024.

Defendants' time to file their reply in support of their Motion for Judgement on Pleadings shall be extended to December 6, 2024.

Defendants' time to file their reply in support of their Motion for Partial Summary Judgement shall be extended to December 13, 2024.

The hearing on Defendants' Motion for Partial Summary Judgement and Motion for Judgement on Pleadings shall be rescheduled to January 9, 2025.

**IT IS SO STIPULATED.**

DATED: October 15, 2024

NICHOLAS & TOMASEVIC, LLP

By: /s/ Alex Tomasevic  
Alex Tomasevic (SBN 245598)

Attorneys for Plaintiffs  
NICHIA LEASER, ATCHARA

WONGSAROJ, KATINA MAGEE and  
JOYCE EISMAN

DATED: October 15, 2024

COBLENTZ PATCH DUFFY & BASS LLP

By: /s/ Howard Slavitt  
Howard A. Slavitt (SBN 172840)

Attorneys for Defendants  
PRIME ASCOT, L.P.; PRIME ASCOT  
ACQUISITION, LLC; PRIME/PARK  
LABREA TITLEHOLDER, LLC; PRIME  
ADMINISTRATION, LLC

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: October 16, 2024

/s/ Daniel J. Calabretta  
THE HONORABLE DANIEL J. CALABRETTA  
UNITED STATES DISTRICT JUDGE